

(Pub. L. 104-127, title IX, §923, Apr. 4, 1996, 110 Stat. 1195.)

REFERENCES IN TEXT

Section 1059c of title 20, referred to in par. (1)(B), was amended generally by Pub. L. 105-244, title III, §303(e), Oct. 7, 1998, 112 Stat. 1639, and, as so amended, no longer relates to Hispanic-serving institutions.

Act of August 30, 1890 (7 U.S.C. 321 et seq.), referred to in par. (1)(C), is act Aug. 30, 1890, ch. 841, 26 Stat. 417, as amended, popularly known as the Agricultural College Act of 1890 and also as the Second Morrill Act, which is classified generally to subchapter II (§321 et seq.) of chapter 13 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 321 of this title and Tables.

§ 2207. Reports

The Secretary of Agriculture shall annually make a general report in writing of his acts to the President, in which he may recommend the publication of papers forming parts of or accompanying his report. He shall also make special reports on particular subjects whenever required to do so by the President or either House of Congress, or when he shall think the subject in his charge requires it.

(R.S. §§528, 529; Feb. 9, 1889, ch. 122, §§1, 4, 25 Stat. 659; May 29, 1928, ch. 901, §1(101), 45 Stat. 993; Aug. 30, 1954, ch. 1076, §1(6), 68 Stat. 966.)

CODIFICATION

R.S. §§528 and 529 derived from the following acts: May 15, 1862, ch. 72, §3, 12 Stat. 387; Mar. 2, 1867, §1, 14 Stat. 440, 445.

Section was formerly classified to section 557 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378.

AMENDMENTS

1954—Act Aug. 30, 1954, struck out provision in first sentence which required that the annual report should contain an account of all moneys received and expended by the Secretary.

1928—Act May 29, 1928, struck out requirement that there be included a statement of expenditures from contingent appropriations.

CHANGE OF NAME

“Secretary of Agriculture” substituted in text for “Commissioner of Agriculture” pursuant to sections 1 and 4 of act Feb. 9, 1889, which are classified to section 2202 of this title. See, also, section 2205 of this title.

TRANSFER OF FUNCTIONS

Functions of all officers, agencies, and employees of Department of Agriculture transferred, with certain exceptions, to Secretary of Agriculture by 1953 Reorg. Plan No. 2, §1, eff. June 4, 1953, 18 F.R. 3219, 67 Stat. 633, set out as a note under section 2201 of this title.

UNAVAILABILITY OF DEPARTMENT FUNDS TO PRODUCE PART 2 OF ANNUAL REPORT

Pub. L. 103-111, title I, Oct. 21, 1993, 107 Stat. 1048, provided in part: “That hereafter, none of the funds available to the Department of Agriculture may be used to produce part 2 of the annual report of the Secretary (known as the Yearbook of Agriculture).”

§ 2207a. Reports to Congress on obligation and expenditure

(a) Not later than 20 days after the end of each fiscal year, the Secretary of Agriculture shall

submit to Congress a report on the amounts obligated and expended by the Department during that fiscal year for the procurement of advisory and assistance services.

(b) Each report submitted under subsection (a) of this section shall include a list with the following information:

(1) All contracts awarded for the procurement of advisory and assistance services during the fiscal year and the amount of each contract.

(2) The purpose of each contract.

(3) The justification for the award of each contract and the reason the work cannot be performed by civil servants.

(Pub. L. 101-161, title VI, §641, Nov. 21, 1989, 103 Stat. 986; Pub. L. 104-316, title I, §104(b), Oct. 19, 1996, 110 Stat. 3829.)

AMENDMENTS

1996—Pub. L. 104-316, in subsec. (a), struck out par. (1) designation before “Not later than”, struck out subpar. (A) designation before “submit to Congress”, struck out “, and (B) transmit a copy of such report to the Comptroller General of the United States” after “and assistance services”, redesignated par. (2) as subsec. (b) and in introductory provisions substituted “subsection (a) of this section shall” for “paragraph (1) shall”, redesignated subpars. (A) to (C) as pars. (1) to (3), respectively, and struck out former subsec. (b) which read as follows: “The Comptroller General of the United States shall review the reports submitted under subsection (a) of this section and transmit to Congress any comments and recommendations the Comptroller General considers appropriate regarding the matter contained in such reports.”

§ 2208. Expenditure of appropriations; accounting

The Secretary of Agriculture shall direct and superintend the expenditure of all money appropriated to the Department and render accounts thereof.

(R.S. §3677; Feb. 9, 1889, ch. 122, §§1, 4, 25 Stat. 659.)

CODIFICATION

R.S. §3677 derived act May 15, 1882, ch. 72, §3, 12 Stat. 388.

Section was formerly classified to section 557a of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378.

CHANGE OF NAME

“Secretary of Agriculture” substituted in text for “Commissioner of Agriculture” pursuant to sections 1 and 4 of act Feb. 9, 1889, which are classified to section 2202 of this title. See, also, section 2205 of this title.

TRANSFER OF FUNCTIONS

Functions of all officers, agencies, and employees of Department of Agriculture transferred, with certain exceptions, to Secretary of Agriculture by 1953 Reorg. Plan No. 2, §1, eff. June 4, 1953, 18 F.R. 3219, 67 Stat. 633, set out as a note under section 2201 of this title.

COMPLIANCE WITH BUY AMERICAN ACT

Pub. L. 105-86, title VII, §716, Nov. 18, 1997, 111 Stat. 2106, provided that:

“HEREAFTER: (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act [see Tables for classification] may be expended by an entity unless the entity agrees that in expending the funds

the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c; popularly known as the ‘Buy American Act’).

“(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

“(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

“(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

“(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ‘Made in America’ inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.”

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 104–180, title VII, §716, Aug. 6, 1996, 110 Stat. 1598.

Pub. L. 104–37, title VII, §716, Oct. 21, 1995, 109 Stat. 330.

Pub. L. 103–330, title VII, §719, Sept. 30, 1994, 108 Stat. 2468.

Pub. L. 103–111, title VII, §727, Oct. 21, 1993, 107 Stat. 1080.

§ 2208a. Loan levels provided to Department of Agriculture

On and after November 10, 2005, loan levels provided in this or any other Appropriations Act to the Department of Agriculture shall be considered estimates, not limitations.

(Pub. L. 109–97, title VII, §710, Nov. 10, 2005, 119 Stat. 2150.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation acts:

Pub. L. 108–447, div. A, title VII, §711, Dec. 8, 2004, 118 Stat. 2839.

Pub. L. 108–199, div. A, title VII, §711, Jan. 23, 2004, 118 Stat. 32.

Pub. L. 108–7, div. A, title VII, §711, Feb. 20, 2003, 117 Stat. 39.

Pub. L. 107–76, title VII, §711, Nov. 28, 2001, 115 Stat. 733.

Pub. L. 106–387, §1(a) [title VII, §711], Oct. 28, 2000, 114 Stat. 1549, 1549A–29.

Pub. L. 106–78, title VII, §712, Oct. 22, 1999, 113 Stat. 1162.

Pub. L. 105–277, div. A, §101(a) [title VII, §712], Oct. 21, 1998, 112 Stat. 2681–26.

Pub. L. 105–86, title VII, §713, Nov. 18, 1997, 111 Stat. 2106.

Pub. L. 104–180, title VII, §713, Aug. 6, 1996, 110 Stat. 1598.

Pub. L. 104–37, title VII, §713, Oct. 21, 1995, 109 Stat. 330.

Pub. L. 103–330, title VII, §713, Sept. 30, 1994, 108 Stat. 2468.

Pub. L. 103–111, title VII, §721, Oct. 21, 1993, 107 Stat. 1080.

§ 2209. Additional statement of expenditures

The Secretary of Agriculture shall furnish proper vouchers and accounts for the sums appropriated for the Department of Agriculture to the Government Accountability Office.

(Mar. 3, 1885, ch. 338, §2, 23 Stat. 356; Aug. 11, 1916, ch. 313, 39 Stat. 492; June 10, 1921, ch. 18 §301, 42 Stat. 23; May 29, 1928, ch. 901, §1(88), 45 Stat. 992; Pub. L. 108–271, §8(b), July 7, 2004, 118 Stat. 814.)

CODIFICATION

Section was formerly classified to section 558 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89–554, §1, Sept. 6, 1966, 80 Stat. 378.

AMENDMENTS

1928—Act May 29, 1928, struck out requirement that Secretary of Agriculture present to Congress a detailed statement of the expenditure of all appropriations for the Department for the preceding fiscal year.

1916—Act Aug. 11, 1916, amended section generally.

TRANSFER OF FUNCTIONS

“Government Accountability Office” substituted in text for “General Accounting Office” pursuant to section 8(b) of Pub. L. 108–271, set out as a note under section 702 of Title 31, Money and Finance, which redesignated the General Accounting Office and any references thereto as the Government Accountability Office. Previously, “General Accounting Office” substituted in text for “accounting officers of the Treasury” pursuant to act June 10, 1921, which transferred powers and duties of Comptroller, six auditors, and certain other employees of the Treasury to General Accounting Office. See section 701 et seq. of Title 31.

Functions of all officers, agencies, and employees of Department of Agriculture transferred, with certain exceptions, to Secretary of Agriculture by 1953 Reorg. Plan No. 2, §1, eff. June 4, 1953, 18 F.R. 3219, 67 Stat. 633, set out as a note under section 2201 of this title.

§ 2209a. Advances to chiefs of field parties

On and after October 28, 1991, advances of money to chiefs of field parties from any appropriation for the Department of Agriculture may be made by authority of the Secretary of Agriculture.

(Pub. L. 102–142, title VII, §706, Oct. 28, 1991, 105 Stat. 911.)

§ 2209b. Availability of appropriations

New obligational authority provided for the following appropriation items in this Act shall remain available until expended: Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, information technology infrastructure, fruit fly program, emerging plant pests, boll weevil program, low pathogen avian influenza program, up to \$33,340,000 in animal health monitoring and surveillance for the animal identification system, up to \$1,500,000 in the scrapie program for indemnities, up to \$3,000,000 in the emergency management systems program for the vaccine bank, up to \$1,000,000 for wildlife services methods development, up to \$1,000,000 of the wildlife services operations program for aviation safety, and up to 25 percent of the screwworm program; Food Safety and Inspection Service, field automation and information management project;